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PTO/SB/21 (12-97)

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TRANSMITTAL FORM (To be used for all correspondence after initial filing)	Application Number	09/668,969
	Filing Date	September 25, 2000
	First Named Inventor	VAN NOORT et al.
	Group Art Unit	1644
	Examiner Name	Ronald B. Schwadron
Total Number of Pages in This Submission	Attorney Docket Number	101137-4

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ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> To convert a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Additional Enclosure(s) - (please identify below):
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Terminal Disclaimer	- Response to Notice; Diskette containing substitute computer readable form (CRF); copy of the Sequence Listing; copy of Notice to Comply with Requirements for Patent Applications dated
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	<input type="checkbox"/> Small Entity Statement	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Request for Refund	

Remarks:

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

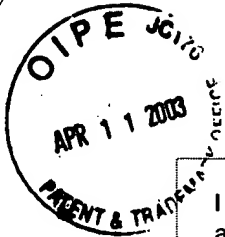
Firm or Individual name	Theodore A. Gottlieb NORRIS McLAUGHLIN & MARCUS, P.A.	
Signature		Reg. No. 42,597
Date	April 9, 2003	

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327, Arlington, VA 22202.			
Typed or printed name	Vilma I. Fernandez		
Signature		Date	April 9, 2003

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Hon. Commissioner of Patents, Washington, DC 20231.

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Atty Docket No. 101137-4
Van Noort, et al.
SN09/668,969

16/

CERTIFICATION OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Assistant Commissioner For Patents, Washington, D.C. 20231, on April 9, 2003.

Vilma I. Fernandez

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

SERIAL NO.	09/668,969
APPLICANT	Johannes M. VAN NOORT et al.
FILED	September 25, 2000
EXAMINER	Dr. Ronald Schwadron
ART UNIT	1644
FOR	ALPHA B CRYSTALLIN FOR USE IN DIAGNOSIS AND THERAPY OF AUTO-IMMUNE DISEASES IN PARTICULAR MULTIPLE SCLEROSIS

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Hon. Assistant Commissioner of Patents
United States Patent and Trademark Office
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Arlington, VA 22202

April 9, 2003

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT
APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE
AND/OR AMINO ACID SEQUENCE DISCLOSURES
AND
REQUEST THAT PRIOR RESPONSE BE DEEMED BONA FIDE AND NOT NON-RESPONSIVE**

Sir:

This communication is in response to the Notice of March 18, 2003 (Paper 15). The substance of that Notice is that the undersigned's Response of January 7, 2003 was unresponsive because the sequence listing as set forth in the paper copy and CRF still does not list parent application 08/750410 "as required in the Previous Office Action."

Examiner's attention is directed to the previous Office Action dated December 9, 2002 wherein the problem/instructions described that "the sequence listing did not list applications, 08/975696 and 08/750410 or PCT NL95/00203." In view of the fact that

the last two applications were given in the alternative the undersigned amended the sequence listing in good faith believing that adding either one would be sufficient.

In view of this, it is respectfully requested that the shortened period for response be at least one month from the mailing date of March 18, 2003. This is customary for *bona fide* attempts to respond.

In further accordance with Examiner's Schwadron's agreement with these facts, this communication is considered timely, and not subject to any late fees.

Entry of any amendments and consideration of any remarks is respectfully solicited.

IN THE SPECIFICATION

Please replace the sequence listing currently of record, with the sequence listing submitted herewith.

CONDITIONAL PETITION FOR EXTENSION OF TIME

If any extension of time for this response is required, Applicants request that this be considered a petition therefore. Please charge the required fee to Deposit Account No. 14-1263.

ADDITIONAL FEES

Please charge any further insufficiency of fees, or credit any excess to Deposit Account No. 14-1263.

ITEMS BEING SUBMITTED

The checked boxes indicate the items enclosed herewith:

- ☒ "Sequence Listing(s)" for the nucleotide and/or amino acid sequence(s) in this application, wherein each "Sequence Listing" is assigned a separate identifier as required in 37 CFR 1.821(c) and 37 CFR 1.822 and 1.823.
- ☒ An amendment to the description and/or claims, wherein reference is made to the sequence by use of the assigned identifier, as required in 37 CFR 1.821(d).

- ☒ A copy of each "Sequence Listing" submitted for this application in computer readable form, in accordance with the requirements of 37 1.821(e) and 1.824.
- ☒ A statement under 37 CFR 1.821(g) that the content of each "Sequence Listing" submitted and each computer readable copy are the same.
- ☒ A statement under 37 CFR 1.821(g) that the submission includes no new matter.
- ☒ A copy of the NOTICE TO COMPLY...SEQUENCE DISCLOSURES.
- ☐ Other (provide description of items submitted)

**STATEMENT THAT "SEQUENCE LISTING"
AND COMPUTER READABLE COPY ARE THE SAME
AND/OR THAT PAPERS SUBMITTED INCLUDES NO NEW MATTER**

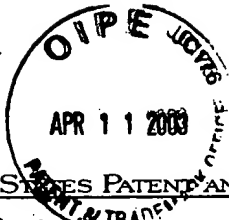
I hereby state that each computer readable form submitted in this application, is the same as the paper copy of the "Sequence Listing" to which it is indicated to relate. No papers or diskette accompanying this submission introduce new matter.

Respectfully Submitted,

Norris, McLaughlin & Marcus
220 East 42 nd Street
New York, NY 10017
Telephone (212) 808-0700
Facsimile (212) 808-0844



Theodore Gottlieb, PhD
Reg. No. 42,597



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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Washington, D.C. 20231
www.uspto.gov

101137-4

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/668,969	09/25/2000	Johannes M. Van Noort	101137-4	3142

7590 03/18/2003
Bruce S. Londa
NORRIS, McLAUGHLIN & MARCUS, P.A.
30th Floor
220 East 42nd street
New York, NY 10017

EXAMINER

SCHWADRON, RONALD B

ART UNIT PAPER NUMBER

1644

DATE MAILED: 03/18/2003

15

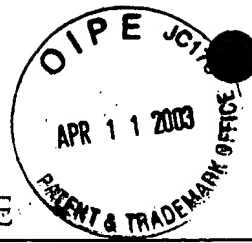
*Sequence #3rd fee
4-9-03*

Please find below and/or attached an Office communication concerning this application or proceeding.

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AND DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
WWW.USPTO.GOV

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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.

EXAMINER	
ART UNIT	PAPER NUMBER

DATE MAILED:

Please find below a communication from the **EXAMINER** in charge of this application
Commissioner of Patents


The communication filed 1/10/2003 is not fully responsive to the communication mailed 2/15/2002 for the reason(s) set forth on the attached Notice To Comply With The Sequence Rules and CRF Diskette Problem Report.

The sequence listing in paper copy and CRF filed 1/10/2003 still does not list parent application 08/750410 as required in the previous Office Action.

If a complete reply has not been submitted by the time the shortened statutory period set in the communication mailed 12/9/2002 has expired, this application will become abandoned unless applicant corrects the deficiency and obtains an extension of time under 37 CFR 1.136(a). In no case may an applicant extend the period for reply beyond the SIX MONTH statutory period.

Any inquiry concerning this communication should be directed to Examiner Ron Schwadron, Ph.D., Art Unit 1644, whose telephone number is (703) 308-4680. Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center receptionist whose telephone number is (703) 308-0196.

Ron Schwadron, Ph.D.
Primary Examiner
Art Unit 1644


RONALD B. SCHWADRON
PRIMARY EXAMINER
GROUP 1800 (600



Application No.: 09/668969

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☒ 7. Other: see enclosed communication

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Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

For PatentIn software help, call (703) 308-6856

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